



09-11-04

IFW #  
PATENT  
010401

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:

Examiner:

INTERACTIVE VIDEO TOUR SYSTEM  
EDITOR

In re application of:

Wierowski

Serial No.: 10/608,761

Filed: June 27, 2003

**CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION**  
**PURSUANT TO 37 C.F.R. § 1.48(a)**

September 13, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This submission is to correct an error in the inventive entity as set forth in the Original Declaration filed on November 17, 2003 in the above-referenced patent application ("Subject Application"). In particular, the Original Declaration named James V. Wierowski as the sole inventor and inadvertently omitted Mark Tiede as an inventor. Accordingly, Applicant respectfully requests the addition of Mark Tiede as an inventor in the Subject Application.

As required by 37 C.F.R. § 1.48(a), Applicant includes herewith the following:

1. A Statement Under 37 C.F.R. § 1.48(a)(2) by Mark Tiede, the inventor to be added, stating that the error in the inventive entity in the Subject Application occurred without deceptive intent on his part;

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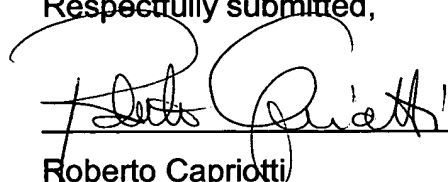
130.00 OP

PI-1213243 v1

2. a Declaration by each of the actual inventors;
3. an Assent of the Assignee to Addition of Inventor Under 37 C.F.R. § 1.48(a)(5);
4. a 37 C.F.R. § 3.73(b) Statement by the assignee; and
5. a check in the amount of \$130.00 for the Governmental Fee for the submission of this request under 37 C.F.R. § 1.17(i).

The Commissioner is hereby authorized to charge Account No. 11-1110 for any fee deficiency or any additionally required fees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roberto Capriotti", is written over a horizontal line.

Roberto Capriotti  
U.S. Reg. No. 46,599

KIRKPATRICK & LOCKHART, LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, Pennsylvania 15222

Tel. (412) 355-8956  
Fax (412) 355-6501



Attorney Docket No.  
010401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:	:	
Examiner:	:	INTERACTIVE VIDEO TOUR SYSTEM
	:	EDITOR
In re application of:	:	
Wierowski	:	
Serial No.:	:	10/608,761
Filed:	:	June 27, 2003

**STATEMENT UNDER 37 C.F.R. 1.48(a)(2) BY MARK TIEDE**

Commissioner for Patents  
P.O. Box: 1450  
Alexandria, VA 22313-1450

I, Mark Tiede depose and say as follows:

1. I am an inventor of the invention claimed in one or more pending claims of the above-referenced patent application (the "Present Application").
2. I was not listed as an inventor in the Present Application and did not sign the Declaration submitted in support of the Present Application.
3. My omission as an inventor in the Present Application occurred without deceptive intent on my part.
4. I further declare that all statements made herein are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Mark L. Tiede

Mark Tiede

9-3-2004

Date

**DECLARATION****INVENTORSHIP IDENTIFICATION**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**INTERACTIVE VIDEO TOUR SYSTEM EDITOR****TITLE OF INVENTION****SPECIFICATION IDENTIFICATION**

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on June 27, 2003, as ☒ Serial No. 10/608,761  
☐ and was amended on      (*if applicable*).
- (c) ☐ was described and claimed in PCT International Application No.      filed on       
☐ and was amended on      (*if applicable*).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

**PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**  
(Prior Foreign/Pct Application(S) Filed Within 12 Months  
(6 Months For Design) Prior To This Application)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate(s) or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
60/391,960	June 27, 2002

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. 120**

(All Foreign Application(S), *If Any*, Filed More Than 12 Months  
(6 Months For Design) Prior To This U.S. Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. (If applicable)

**DECLARATION**

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom

## SIGNATURE(S)

James V. Wierowski  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature *James V. Wierowski*  
Date 9-3-2004 Country of Citizenship USA  
Residence Rochester, NY 14625  
Mailing Address: 23 Scarborough Park, Rochester, NY 14625

Mark L. Tiede  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature *Mark L. Tiede*  
Date 9-3-2004 Country of Citizenship USA  
Residence Grand Island, NY 14072  
Mailing Address: 227 Forest Creek Lane, Grand Island, NY 14072

☐ **Signature** by administrator(trix), or legal representative for deceased or incapacitated inventor.

Number of pages added \_\_\_\_\_.

☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) Number of pages added \_\_\_\_\_

☐ Authorization of attorney(s) to accept and follow instructions from representative.

☒ This declaration ends with this page.



Attorney Docket No.  
010401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: :  
Examiner: : INTERACTIVE VIDEO TOUR SYSTEM  
In re application of: : EDITOR  
Wierowski :  
Serial No.: 10/608,761 :  
Filed: June 27, 2003 :

**ASSENT OF ASSIGNEE TO ADDITION OF INVENTOR UNDER 37 C.F.R. 1.48(a)(5)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Assignee of the above-referenced patent application (the "Present Application"), MJW Corporation Inc., hereby assents to the correction of inventorship filed herewith, adding Mark Tiede as an inventor. Submitted herewith is a "Statement under 37 C.F.R. §3.73(b)" by MJW Corporation Inc. and a copy of an Assignment of Invention by Mark Tiede to MJW Corporation Inc. and a copy of the Form PTO-1595, filed concurrently herewith.

DAVID A. DOOLEY  
Print Name

PRESIDENT  
Title

David A. Dooley  
Signature

9-3-2004  
Date





PTO/SB/96 (06-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Wierowski et alApplication No./Patent No.: 10/608,761 Filed/Issue Date: June 27, 2003Entitled: INTERACTIVE VIDEO TOUR SYSTEM EDITORMJW Corporation, Inc., a New York corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: James V. Wierowski To: MJW Corporation, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 014700, Frame 0058, or for which a copy thereof is attached.
2. From: Mark Tiede To: MJW Corporation, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9-3-2004

Date

(716) 631-8291

Telephone number

David A. Dooley

Typed or printed name

Signature

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

**Mark Tiede**Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

## 3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **September 3, 2004**

## 2. Name and address of receiving party(ies)

Name: **MJW Corporation Inc.**Internal Address: **University Park**Street Address: **1900 Sweet Home Road**City: **Amherst** State: **NY** Zip: **14228-3359**Additional name(s) and address(es) attached? ☐ Yes ☐ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) **10/608,761**

B. Patent No.(s)

Additional number(s) attached? ☐ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed.

Name: **Daniel R. Miller, Esq.**Internal Address: **Kirkpatrick & Lockhart LLP****Henry W. Oliver Building**Street Address: **535 Smithfield Street**City: **Pittsburgh** State: **PA** Zip: **15222-2312**6. Total number of applications and patents involved: **1**

## 7. Total fee (37 CFR

3.41).....\$ **40.00**

- ☐ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.***Daniel R. Miller**

Name of Person Signing

Signature

**9-13-2004**

Date

Total number of pages including cover sheet, attachments, and documents:

**6**

Mail documents to be recorded with required cover sheet information to:

Mail Stop: Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box: 1450, Alexandria, VA 22313-1450

Attorney's Docket No. 010401

**PATENT**

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application or  
☐ U.S. Provisional Application  
For: ☐ U.S. Patent  
For: ☐ PCT Application  
By: ☒ Inventor(s) or ☐ Present Owner

### ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNOR:**

Inventor(s) or person(s) or  
entity(ies) who own the  
invention

Mark Tiede  
(type or print name(s) of ASSIGNOR(S))

227 Forest Creek Lane  
Address

Grand Island, NY 14072

USA  
Nationality

(if assignment is by person or entity to whom invention was previously assigned  
and this was recorded in PTO, add the following)

Recorded on \_\_\_\_\_

Reel \_\_\_\_\_

Frame \_\_\_\_\_

hereby sells, assigns and transfers to

**ASSIGNEE:**

MJW Corporation Inc.  
(type or print name(s) of ASSIGNEE(S))

University Park, 1900 Sweet Home Road  
Address

Amherst, NY 14228-3359

(a New York corporation)  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

- ☒ the entire right, title and interest
- ☐ an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☒ and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled: **INTERACTIVE VIDEO TOUR SYSTEM EDITOR**

Name of Inventor: Mark Tiede

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

- (a) ☐ U.S. patent application executed on even date herewith
- (b) ☒ U.S. patent application filed on June 27, 2003, Serial No. 10/608,761
- (c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention
- ☐ Express mail label no.: \_\_\_\_\_
- Mailed: \_\_\_\_\_
- ☐ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.
- (d) ☐ U.S. provisional application no.: \_\_\_\_\_ Filed: \_\_\_\_\_
- (e) ☐ International application no. PCT/ \_\_\_\_\_ / \_\_\_\_\_
- (f) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_
- ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

- (g) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation

or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and-enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this \_\_\_\_\_ day of

\_\_\_\_\_  
Date of Signing

**WARNING:** The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Date: 9-3-2004

Mark L. Tiede  
(Signature of ASSIGNOR) Mark Tiede

(if ASSIGNOR is a legal entity, complete the following information)

\_\_\_\_\_  
(type or print the name of the above person  
authorized to sign on behalf of ASSIGNOR)

\_\_\_\_\_  
Title

**NOTE:** No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.

☐ Notarization or Legalization Page Added.



PTO/SB/01 (08-04)

Approved for use through 11/30/2005, OMB 0833-0038  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	10/608,761
Filing Date	June 27, 2003
First Named Inventor	James Wierowski
Title	INTERACTIVE VIDEO TOUR ....
Art Unit	
Examiner Name	
Attorney Docket Number	010401

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26285

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/05)

SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in the "Name" space below)

Name	David A. Dooley, President-MJW Corporation, Inc.		
Signature	<i>David A. Dooley</i>		
Date	09/10/04	Telephone	(716)-631-8291

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: James V. Wierowski  
Application No.: 10/608,761  
Filed: June 27, 2003

For: INTERACTIVE VIDEO TOUR SYSTEM EDITOR

**Commissioner for Patents**  
**P.O. Box: 1450**  
**Alexandria, VA 22313-1450**

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number ED156671835US

Date of Deposit September 13, 2004

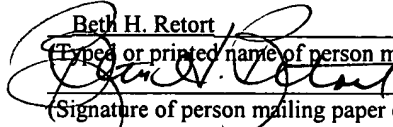
I hereby certify that the following attached paper or fee

**CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION PURSUANT TO 37 C.F.R. §1.48(a)**

Including: **Statement by Mark Tiede**  
**Declaration**  
**Assent of Assignee to Addition of Inventor Under 37 CFR 1.48(a) (5)**  
**3.73(b) Statement (with copy of executed Assignment)**

**CHECK PAYABLE TO PTO**

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: **Commissioner for Patents, P.O. Box: 1450, Alexandria, VA 22313-1450**

Beth H. Retort  
(Type or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

**NOTE:** Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g. complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

**NOTE:** The label number need not be placed in each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

**(Express Mail Certificate [8-3])**